

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

TODD CORBET and HELENA CORBET,)
Individually, and as Parents of BENJAMIN)
CORBET, deceased) CASE NO. 1:22-cv-2457
Plaintiffs,)
vs.)
DIAMOND AIRCRAFT INDUSTRIES,)
INC.)
Defendants.)

COMPLAINT FOR DAMAGES

Come now the Plaintiffs, Todd Corbet and Helena Corbet, Individually and as Parents and Legal Guardians of Benjamin Corbet, deceased, by counsel, and for their first cause of action against the Defendant Diamond Aircraft Industries, Inc., and allege and state as follows:

1. At all times relevant to this action, Plaintiffs were residents of Franklin, Indiana, in Johnson County.
2. That Plaintiffs, Todd Corbet and Helena Corbet, are and were the natural parents of the deceased, Benjamin Corbet.
3. The deceased, Benjamin Corbet, age 21, lived with his parents Todd Corbet and Helena Corbet in Franklin, Indiana, at the time of his death.
4. That Plaintiffs, Todd Corbet and Helena Corbet, bring this action against Defendants for the Wrongful Death of their child, Benjamin Corbet.
5. At all times relevant to this action, Defendant, Diamond Aircraft Industries, Inc., a Canadian corporation, doing business in the state of Indiana, was the manufacturer of the aircraft Diamond DA40 involved in the plane crash that resulted in the death of Benjamin Corbet.
6. Subject matter jurisdiction exists pursuant to 28 USC § 1332 as there is complete diversity of citizenship between the parties and the amount in controversy exceeds \$75,000,

exclusive of interest and costs.

7. On June 6, 2021, Benjamin was a student in a flight training class when the Diamond DA40 crashed into a field in Burlington, Montgomery County, Indiana.

8. Benjamin Corbet died as a result of the crash.

9. The flight instructor died as a result of the crash.

10. Defendant had a duty to provide Benjamin Corbet with a safe plane during his flight instruction.

11. The Diamond DA40 that was involved in the crash was owned by a flight school operating out of Marion County, Indiana.

12. The Defendant's plane, the Diamond DA40, was not safe for flight in flight schools.

13. The Defendant's plane, the Diamond DA40, was defective in its design, manufacture, distribution, warnings, and instructions.

14. Defendant breached its duty to Plaintiff and their son Benjamin Corbet.

15. As a result of Defendant's negligence Benjamin died.

16. As a direct and proximate result of the Defendant's careless and negligent acts and omissions Benjamin Corbet suffered fatal injuries.

17. As a direct and proximate result of the Defendant's careless and negligent acts and omissions, Todd Corbet and Helena Corbet, have suffered damages as a result of the loss of their son Benjamin Corbet including but not limited to the loss of services, love and companionship, and expenses.

18. Plaintiffs Todd Corbet and Helena Corbet claim all damages to which they are entitled under Indiana law.

WHEREFORE, the Plaintiffs demand judgment against the Defendant in the amount to be proven at the trial in this cause, for the wrongful deaths of Benjamin Corbet, the loss of

services of Benjamin Corbet, the loss of love and companionship of Benjamin Corbet, funeral and burial expenses on behalf of Benjamin Corbet, and other expenses incurred by the Plaintiffs, Todd Corbet and Helena Corbet, as a result of Benjamin Corbet's death, attorney fees and other pecuniary or non-pecuniary losses and damages, court costs, and all other proper relief in the premises.

REQUEST FOR TRIAL BY JURY

COMES now the Plaintiffs, by counsel and files herein their request for trial by jury for the above action.

Respectfully submitted,

/s/ Katherine Karres

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